PREPARING FOR YOUR
PAROLE BOARD APPEARANCE

HOW TO PREPARE A PAROLE PACKET,
MAKE A PRESENTATION AT YOUR
PAROLE BOARD HEARING
AND MAKE A RECORD FOR APPEAL

Prepared by the Coalition for Parole Restoration (CPR)

P.O. Box 3292, Church Street Station, New York, NY 10008-3292, (212) 479-8524, Upstate CPR, P.O. Box 52, Wappinger Falls, NY 12590 (845) 486-7094 [e-mail: parolecpr@yahoo.com or coalitionfamily@aol.com, website: www.cprny.org]
INDEX

INTRODUCTION: ........................................................................................................... 1

I. THE PACKET FOR THE PAROLE BOARD ...................................................... 2
   A. PRISONER'S STATEMENT ................................................................. 2
      1. BACKGROUND OF PRISONER ........................................... 2
      2. CURRENT CRIME OF CONVICTION ................................ 2
         a. How to deal with innocence before the parole board ...... 3
   3. WHAT YOU HAVE DONE IN PRISON ........................................... 4
   4. PAROLE PLAN ................................................................................ 5
   B. ATTACHMENTS ................................................................................ 5
      1. RESUME ....................................................................................... 5
      2. EDUCATIONAL ACHIEVEMENTS ........................................ 6
      3. VOCATIONAL CERTIFICATES ................................................ 6
      4. THERAPEUTIC PROGRAM PARTICIPATION ...................... 6
      5. VOLUNTEER ACTIVITIES ....................................................... 6
      6. LETTERS OF SUPPORT ........................................................... 6
   II. WRITING LETTERS OF SUPPORT FOR PAROLE BOARD
       APPEARANCE .............................................................................. 6
      A. WRITING A LETTER OF SUPPORT ......................................... 7
         1. THINGS YOU SHOULD INCLUDE IN THE LETTER ........... 7
            a. Nature of your relationship with the person .............. 7
            b. How long you have known the person ................. 8
            c. Good qualities about the person ....................... 8
d. Your familiarity with the person's crime and remorse for the crime that he/she has shown ................................................. 8

e. Your familiarity with positive things done by the person .... 8

f. Things about yourself .................................................. 8

g. Your familiarity with the anything that the person may have contributed to the community, his/her family before he/she was incarcerated ............................................................. 8

h. Your familiarity with the person's job history .................. 9

2. THINGS YOU SHOULD NOT INCLUDE IN THE LETTER ............. 9

a. Never minimize the seriousness of the crime ................. 9

b. Avoid mentioning any injustices ................................... 9

III. PAROLE INTERVIEW .................................................. 10

A. PRACTICE ...................................................................... 13

B. FREQUENTLY ASKED QUESTIONS ................................. 13

C. DOS AND DON'TS AT PAROLE BOARD HEARING ........... 15

1. DOS ........................................................................... 15

2. DON'TS ....................................................................... 16

IV. RECORDS TO HAVE BEFORE APPEARANCE AND HOW TO GET THEM ................................................................. 16

V. PAROLE APPEAL ......................................................... 17

APPENDIX A - Sample Resume ............................................. 20

APPENDIX B - DOCS Form 2167 .............................................. 21

APPENDIX C - Sample Letter ............................................... 22

APPENDIX D - Sample Letter ............................................... 24

APPENDIX E - Parole Statute .................................................. 26
CPR is a broad-based grass roots organization created to inform, organize and bring to light all aspects of the prison industrial complex as it affects our communities, families and people in prison. Parole is one part of a larger issue that affects everyone. Our current primary focus is in obtaining the just administration of parole for all inmates. CPR is committed to providing support and assistance to prisoners, former prisoners, their families and loved ones in dealing with prison issues and policies which affect them. CPR’s aim is to advocate for humane and fair prison conditions and policies which will contribute to the total rehabilitation of prisoners and help them to make a smooth transition back into society and to their communities.

INTRODUCTION:

This pamphlet contains information useful for preparing for your Parole Board appearance. It includes information about how to prepare a written packet for the Parole Board (what to include in such a packet and how to prepare it). It also includes information about what to expect at your Parole hearing and suggestions for how to present yourself to the Parole Board in person. There is also information to assist individuals in writing a letter of support for your release. The written packet and your statement at the hearing are important for achieving parole. If you are denied parole, they are useful as evidence for an appeal of the Parole Board’s decision.

While there are many suggestions made throughout this pamphlet, they are merely guidelines and examples. It is important that you adapt the suggestions to your own individual situation.
I. THE PACKET FOR THE PAROLE BOARD

Many people prepare a packet to present to the parole board. The purpose of the packet is to portray a picture of yourself which demonstrates that you have learned from the mistakes you made which led to your incarceration, and that you have used your time in prison wisely to improve yourself. The goal is to present the parole board with information which shows your commitment to earning your release from custody and maintaining your freedom after release. The packet should provide the parole board with a written record of your resolve not to commit another crime.

A. PRISONER'S STATEMENT

1. BACKGROUND OF PRISONER:

   In this section you should include information about where you were born and raised, who raised you, how many siblings you had, your education, any job and military history you had prior to incarceration, and when you began the life that led you to commit the present crime. If you were previously convicted of other crimes, include a summary of all of these crimes (include felonies and misdemeanors). Make particular note of previous incarcerations and previous time that you were on probation or parole. Do not leave any prior convictions out. The parole board will have all of your records. DO NOT ATTEMPT TO EXCUSE YOUR RECORD, JUST LIST YOUR OFFENSES.

2. CURRENT CRIME OF CONVICTION:

   In this section, briefly describe the crime for which you are currently incarcerated.
Describe the crime as it was told at trial. This is important. The parole board is not retrying you for the crime. However, if you try to alter the trial record or express your disagreement with the evidence, the parole board may take this as evidence that you lack remorse or do not accept your responsibility for the crime. EVEN IF YOU DISAGREE WITH WHAT WITNESSES TESTIFIED TO AT TRIAL OR REPORTED TO THE POLICE DESCRIBE THE CRIME AS IT WAS TOLD AT TRIAL OR AS IT WAS READ INTO THE RECORD BY THE PROSECUTOR WHEN YOU ENTERED YOUR PLEA.

Restate the crime and take full responsibility for it and state remorse for crime. State what impact the crime has had on your life and what has changed about you that will prevent you from making the same mistakes. Also write about your recognition of the impact that the crime has had on the life of your victim and his family. If the crime was drug and/or alcohol related, write about your participation in drug and/or alcohol programs. If the crime was violent, talk about participation in alternatives to violence programs and how you have already used what you learned to stay out of trouble in prison and to channel your aggression and anger. It is extremely important that you do not say anything that could be interpreted as diminishing your acceptance of responsibility for the crime.

a. How to deal with innocence at the parole board:

You must make a personal decision about how to deal with the Parole Board if you claim innocence. Usually, the Parole Board wants you to admit to the crime and show remorse. If you do not want to do so, one suggestion for dealing with a crime for you which you maintain your innocence is to indicate that you feel badly about what happened and
for the crime victim. For a murder charge, you can state you are sorry that a man or woman lost their life because the loss of life is always a tragedy and that you have sympathy for the victim's friends and family without taking any responsibility for committing the crime, and leave it at that.

3. WHAT YOU HAVE DONE IN PRISON:

You want to highlight the educational certificates, vocational certificates and degrees you have obtained and any skills you have developed. Include all therapeutic program participation such as ASAT, KSAT, AVP, ART, etc. Include all jobs that you have held, emphasizing those that you kept for a year or more. (Lengthy terms of employment demonstrate stability and dependability.) Include all volunteer activities you have been involved in, such as JAYCEES, CAU, P.A.C.E, YAP, LATINOS UNIDOS or any organizational involvement. Emphasize any leadership role that you played in these organizations, including service on the Inmate Liaison Committee if applicable. Basically, you want to include any significant achievements that you made while in prison.

In this section you should also include a paragraph which describes your disciplinary history in prison. If you had significant disciplinary problems at the outset of your incarceration but improved over time, emphasize those improvements. If you have a very good disciplinary record from the beginning of your incarceration, emphasize that and how it shows your willingness to conform to rules.
4. **PAROLE PLAN**

This section of your packet includes your plans for when you are released. If you have a specific job offer, attach a letter from the potential employer. If you do not have a specific offer, state what skills that you have that will help you obtain employment. State where you will live when released and with whom, how this person will support your efforts and list any other family, friends, clergy or mental health professionals that will support you spiritually and emotionally. If you plan to participate in any counseling programs when you are released, such as a drug or alcohol treatment program, indicate what those programs are and how often you will attend them. It is probably a good idea to contact these programs and apply for them to assure the parole board that there is space available for you prior to your release.

5. **ATTACHMENTS**

The previous sections were all written by you describing yourself, your crime, your accomplishments in prison and your plans for release. The attachments to your personal statement are the documents which support your personal statement. All of the following documents should be attached and labeled accordingly. This list is not exhaustive. If there are other documents that you think should be included in the packet, include them. You should take the entire packet that you prepared with you to your Parole Board appearance and refer to letters and documents in it during your interview.

1. **RESUME**: A sample resume is attached as Appendix A.
2. **EDUCATIONAL ACHIEVEMENTS:** copies of GED and any other degrees obtained while in prison.

3. **VOCATIONAL CERTIFICATES:** copies of all vocational certificates obtained while in prison.

4. **THERAPEUTIC PROGRAM PARTICIPATION:** copies of all certificates of programs that you participated in while in prison.

5. **VOLUNTEER ACTIVITIES:** any certificates of participation or commendations that you received for participating in these activities should be attached.

6. **LETTERS OF SUPPORT:** Letters of support as outlined below in Section II should be attached to the packet.

II. **WRITING LETTERS OF SUPPORT FOR PAROLE BOARD APPEARANCE**

Letters of support from members of the community should be included in the packet. Such letters are useful in showing that you have support on the outside to assist you with your transition from incarceration to freedom. You should get as many letters of support for your release as possible. Letters can come from family, friends, clergy, people in the community to which you plan to return, and potential employers. Prison staff that you have worked with and with whom you have had a positive relationship may should be asked to write a letter of support on your behalf for the Parole Board. If you think that the prison staff person will not be comfortable writing the letter, ask them to complete DOC Form No. 2167 - Commendable Behavior Report. A sample of this report form is attached as Appendix B. This is not the actual form but is copied here so that you know what it
looks like. Correctional staff should obtain an official form to complete.

A. WRITING A LETTER OF SUPPORT:

The following sets out an outline of a sample letter to write for the person appearing before the parole board. It is by no means the only way or the best way to compose such a letter. It is merely one example of how to do it. Try not to get caught up in writing the perfect letter. There are many factors that will influence the Parole Board’s decision and your letter is only one of them. Simply be sincere and write about what you know.

The letter of support should be sent to the facility parole officer who will make sure that it is part of the parole file that is submitted to the parole commissioners. A copy of the letter should also be sent to the prisoner so that he or she may attach it to their parole packet and to give to the parole commissioners at the hearing, just in case they don’t have the letter.

The following is a list of ideas for writing letters to the Parole Board. It is divided into two sections: things that should be included in the letter, and things that should not be included.

1. THINGS YOU SHOULD INCLUDE IN THE LETTER

   a. Nature of your relationship with the person - spouse, cousin, mother, sister, friend, former neighbor, fellow member of congregation, fellow member of community organization, etc.;
b. How long you have known the person;

c. Good qualities about the person;

d. Your familiarity with the person's crime and remorse for the crime that he/she has shown;

e. Your familiarity with the positive things that the person has done while in prison, programs that they have participated in to improve themselves, such as a drug and alcohol treatment program or a program to teach alternatives to violence. You should include special achievements, personal hobbies they have continued to do or begun while in prison, such as painting, writing, etc. You want to portray the person as a three-dimensional human being with more about them than the crime they committed;

f. Things about yourself that show you are a respected member of the community. This may legitimize what you say about the person and show that you can be relied upon to provide help to the person, when released;

g. Your familiarity with anything that the person may have contributed to the community, his/her family before he/she was incarcerated should be included in the letter to show that he or she was a respected member of the community before being incarcerated.
h. Your familiarity with the job history of the prisoner before they committed the crime. If they had an extensive job history, or employment for a number of years with one company, you should emphasize that. (However, if the person's job history was such that they did not stay with any one job for more than a year, do not include any reference to jobs.)

2. THINGS YOU SHOULD NOT INCLUDE IN THE LETTER

a. Never minimize the seriousness of the crime or proclaim the person's innocence. The Parole Board needs to see that the person has remorse for what they did and your letter will reflect on the prisoner. Even if you believe that the person is innocent, your letter to the parole board is not the place to address that issue. If this presents a problem for you, simply do not discuss the crime in your letter;

b. Avoid mentioning any injustices that you believe have been done to the person while in prison, by the court system, the police or anyone else.

A sample structure for a letter is attached as Appendix C. A sample structure for a letter for a person who has appeared before the parole board more than once is attached as Appendix D.
III. PAROLE INTERVIEW

The parole interview serves two purposes: 1) to convince the Parole Board that you are ready for release, and 2) in the event that you are denied parole, as part of the record on an appeal of the Parole Board's decision. (The transcript of the interview is sent to the reviewing court.) Generally, the parole interview is very short. It is up to you to make your case during the interview. Be prepared to make your statement and present the information that you want to have be part of the record.

It is normal to be nervous, especially if this is your first appearance. However, this is the only opportunity you will have to make your case since the decision is usually made after you leave the room. Give the parole board something to think about. Make a strong case for your release. Prepare yourself for the hearing. Act as if your life depends on it because it does.

It is the usual practice for one parole commissioner to ask all of the questions. This commissioner will introduce him or herself at the beginning of the hearing and then introduce the other parole commissioners. Shake each parole commissioner's hand when they are introduced, just as you would do anyone else, as a common courtesy. This may help to set the tone of the hearing and establish you as a individual man or woman, to be treated with the same common courtesy and respect they would treat any individual.

Keep in mind the most frequently used statements from the parole board to justify denying parole: 1) there is a reasonable probability that if released, he/she will not live and
remain at liberty without violating the law; 2) that his/her release is incompatible with the welfare of society, and 3) release at this time will so deprecate the seriousness of the crime as to undermine respect for the law. The relevant portions of the parole statute is attached as Appendix E.

In making your case to the parole board, you should be making an argument to counter their arguments that you would be a risk, if released. You should also use the statutory language by making references during your interview, to “your institutional record including program goals and accomplishments, academic achievements, vocational education, training or work assignments.” § 259-1 2 (c) (i). This should be discussed in the context of your being able to get a job outside. Your disciplinary record should be discussed, especially if it is good. [NOTE: SOME PRISONERS HAVE REPORTED THAT WHEN THE DISCIPLINARY RECORDS WERE COMPUTERIZED, THEY DID NOT INCLUDE ALL OF THE DISCIPLINARY INFRACTIONS FROM THE EARLY 70s AND 80s AND THE PAROLE BOARD ONLY HAS THE COMPUTERIZED DISCIPLINARY RECORDS. DO NOT LIE ABOUT YOUR DISCIPLINARY RECORD, BUT REMEMBER THAT YOU DO NOT HAVE TO VOLUNTEER INFORMATION TO THE PAROLE PANEL.]

The “therapy and interpersonal relationships with staff and inmates” should be discussed in the context of proof that you work well with others. § 259-1 2 (c) (i). Place particular emphasis on any letters of recommendation that you received from correctional staff.

Talk about your “performance, if any, as a participant in a temporary work release
program” or work that required you to have outside clearance as proof that you will not be a risk to society. § 259-1 2 (c) (ii).

Talk about “your release plans including community resources, employment, education, and training and support services available to the inmate” in the context of the network of support you will have available to you upon your release. § 259-1 2 (c) (iii).

Talk about “any deportation order issued by the federal government against the inmate while in custody of the department of correctional services” to show that you will be deported if released and reassure the board that you have no plans to return to the United States. § 259-1 2 (c) (iv). If you have any family or friends in your home country to help you when you are sent there, be sure to get letters from them and mention them in your interview.

When answering questions asked by the Parole Board, refer to documents in your packet such as certificates of achievement, certificates of participation in drug, violence programs, etc. When asked about how you would react to a situation in the future, where you are confronted with violence, refer to what you learned in AVP or ART. If asked how the panel can be assured that you will not use drugs or alcohol in the future, speak about what you learned in NA, AA, ASAT or any program that you attended. Speak about your plans to attend drug treatment or AA meetings if you are released. If you were previously incarcerated or previously were on parole (or were on parole when you committed the crime for which they are currently incarcerated), you have a heavy burden to convince the board that things will be different this time. You must explain what has changed in your life that is going to make a difference and keep you from returning to prison.
A. **PRACTICE**

Prepare for your parole interview by having someone act like the Parole Board members and ask you questions to see how you respond. The following are some frequently asked questions at parole board interviews - you should be prepared to answer these questions as they relate to your crime and any other questions that you think they might ask you. If this is a subsequent parole appearance, use your prior parole transcript to practice answering the questions that the previous parole board asked you. Think very carefully about your answers to these questions and get the opinion of two or more people about the appropriateness of your answers.

B. **FREQUENTLY ASKED QUESTIONS**

- Where did you get the gun?
- Why did you have the gun?
- Why did you think you needed a gun?
- Why did you sell drugs?
- Do you think selling drugs is a victimless crime?
- If yes to the above question, why?
- Do you think drug dealing is a nonviolent crime?
- If yes to the above question, why?
- You said, if it weren't for your drug use, you wouldn't commit crimes. Why do you do drugs?
- What have you done to address your drug problem?
- What have you learned about your drug problem?
- What is different now? We've heard this before.
- Why do you drink (alcohol)?
- What have you done to address your alcohol problem?
- What have you learned about your drinking problem?
- Do you know that if you are arrested again you can spend the rest of your life in prison?
- If yes to the above, what are you going to do to live a crime-free life?
- Why did you go to trial?
- Why were you robbing people?
- How do you explain this escalating pattern of violence?
- What were you thinking when you committed this crime?
- Why did you have to kill the man (woman or child)? [You should think long and hard about the answer to this question, if you have not already done so. Whatever you say, do not say that you had to kill them because they could identify you.]
- If you had the opportunity to speak to the victim of your crime, what would you say to him or her?
- In borderline self-defense cases: Why didn’t you just walk away?
- How do we know, if you are released to parole supervision and put in a similar situation you will be able to just walk away?
- Have you participated in anti-violence programs?
- If yes to the above, what have you learned?
- Were you a member of a gang?
- If yes to the above, why?
- Why should this panel grant you parole?
- What is different now as opposed to the last time you were in prison and paroled?
- Why should we take a chance on you?
- If we were to grant you parole, what type of work would you do?
- Do you have anything to add?

**This last question generally comes at the end of the interview.** Always have something to say, regardless of how well you believe the interview has gone. Summarize everything you have said to show that you are a suitable candidate for parole. Also, ask questions. You should ask the commissioners “In reviewing my record, is there any particular concern that you have which would lead you to believe that I cannot be released
without violating the law?" This will allow you to address that concern on the record. You might also ask "is there anything that you see from this hearing that you believe I should have done or worked harder to achieve to better prepare myself for release from prison?"

C. DOS AND DON’TS AT PAROLE BOARD HEARING

1. DOS

- To the extent that you can, take charge of the hearing. This means using your "script."
- Accept responsibility for your crimes.
- Be clear and concise.
- If a commissioner asks you a question that you do not understand, do not hesitate to ask them to rephrase the question to make it easier for you to understand.
- Direct your answers to all of the commissioners, not just the one who is asking the questions by making eye contact with all of them while responding to the questions.
- Don’t let the record contain mistakes. For example, multiple counts and multiple charges arising from one crime are often misunderstood and mistaken for multiple crimes. If this error is made, explain the facts of your case and correct any mis-perception on the record.

2. DON’TS

- Don’t say "I’m sorry." Find stronger language to express remorse.
- Don’t say "I made a mistake." You were convicted of a crime; it wasn’t a mistake. Own up to it as a crime.
- Don’t stress mitigating factors. Let the parole commissioners bring up mitigating factors.
- Don’t follow the parole commissioners’ script.
- Don’t assume the parole commissioners are thoroughly familiar with your case.
Don't be intimidated.

IV. RECORDS YOU SHOULD HAVE BEFORE APPEARING BEFORE THE PAROLE BOARD AND HOW TO GET THEM

The following records will be useful for you in preparing for your parole hearing. They are not records that you will include in your parole packet. However, they may help you in writing your personal statement and they will certainly help you to remember your trial and sentencing. The Parole Board will have these documents and will have reviewed them. You should do the same so that you are prepared to answer questions accurately.

- **Pre-Sentence Report (PSR)** - This can be obtained by writing a letter to the judge that presided over your criminal trial requesting your PSR. Ask that this letter be treated as a motion, pursuant to CPL 390.50. State that you need a copy of your PSR to prepare for an upcoming parole board appearance. Send a copy of this letter to the Department of Probation.

- **Plea Allocation Transcripts** - This only applies to people who pled guilty. These can be obtained by contacting the Clerk of Court in which you were convicted or by contacting your appellate lawyer; or the court stenographer. You will need your indictment number, date you took the plea, date you were sentenced, and the sentencing judge’s name.

- **Sentencing Minutes** - These should be in your parole folder. They can be obtained by making a Freedom of Information Law (FOIL) request to the Senior Parole Officer at your facility.

- **Previous Parole Summaries** - These should also be in your parole folder and can also be obtained by making a Freedom of Information Law (FOIL) request to the Senior Parole Officer at your facility.

- **Previous Parole Transcripts** - These should also be in your parole folder and can be obtained by mailing a FOIL request to the Senior Parole Officer.

  **Note:** Some parole commissioners use the same line of questioning from previous parole hearings. You should study transcripts from your prior hearings.

- **Rap Sheet** - These can be obtained by utilizing a form that is available in
most prison law libraries that can be sent to the Department of Criminal Justice Services.

- Header Sheet (DOCS) - This contains a statement about your crime. It needs to be checked to see if it is accurate. You can obtain a copy by asking your corrections counselor for a copy or you may have to submit a FOIL request to the Inmate Record Coordinator at your facility.

Make the request for these documents early enough so that there is sufficient time for you to obtain them before you begin working on your packet, at least six months to a year before your first parole board appearance.

V. PAROLE APPEAL

As long as the Board can show that it considered the statutory guidelines, the courts will likely uphold the Board's decision. However, you may still choose to appeal a denial of parole. There are two steps to appeal your parole denial. First, you must file an administrative appeal.

To do so, you must follow the internal appeal procedures of the Division of Parole spelled out in 9 NYCRR Section 8006. In the administrative appeal, the Parole Commissioners will review your denial of parole and may possibly reverse that decision. You have 30 days to file the Notice of Appeal from the date you received the Parole Board's decision. You then have 120 days to complete your appeal. You can obtain a Notice of Appeal form from your parole officer. On the form, be sure to indicate that you want a copy of the minutes of your parole hearing. You should then mail the Notice of Appeal form to:
Appeals Unit
Division of Parole
97 Central Avenue
Albany, New York 12206

Under current New York State Law, if you cannot afford a lawyer, you are entitled to have counsel appointed who will represent you in the administrative appeal. Your institutional parole officer has forms for requesting appointed counsel. Ask your parole officer for the form, fill in the information required and return the form to your parole officer. Your parole officer will forward the completed form to the County Judge who will assign a lawyer from that county to represent you.

Very often the procedure for assigning lawyers moves slowly and you may be worried that the time for filing your appeal is running out (120 days from the date of filing a Notice of Appeal). However, if you have mailed your Notice of Appeal to Albany (which must be done within 30 days of the parole determination that you are appealing), you can easily get an extension of time for filing the appeal by making a written request to:

Senior Parole Attorney
Division of Parole
97 Central Avenue
Albany, New York 12206

If, in the meantime, you are transferred from an institution in one county to an institution in a different county, you will have to repeat part of this procedure. You must ask your new parole officer for a form to request assignment of counsel in the new county.
You will have to do this even if you were assigned a lawyer in the old county because that lawyer will no longer be able to represent you. During the confusion of your transfer, do not forget to request an extension of time if your 120 days is running out and you still need a lawyer.

The County Court will not necessarily notify you when counsel has been assigned to handle your parole administrative appeal. The County Court may assume that the lawyer will contact you directly. If you have not heard from your lawyer within 4 weeks of your request for counsel, write directly to the clerk of the County Court requesting the name and address of your assigned counsel.

Second, if you lose your administrative appeal, you have the option to file an Article 78 proceeding. However, in an Article 78 proceeding, the judge must find that the Parole Board's decision was "arbitrary and capricious." This is a very difficult standard to meet. Furthermore, you do not have the right to have an attorney assigned for an Article 78 proceeding. If you file as a poor person, you may ask the court to assign an attorney, but it is at the judge's discretion whether or not to do so.

A copy of the packet which you prepared for your parole hearing should be attached as an exhibit to both the administrative appeal and the Article 78.
APPENDIX A - Sample Resume

John Doe
123 Walnut Street
Anytown, New York 12345
212-222-2222

OBJECTIVE
To obtain a job that will enable me to utilize my skills and will offer me advancement opportunities.

EMPLOYMENT
ATTICA CORRECTIONAL FACILITY
ATTICA, NY 14011
1997 - 2001
LAW LIBRARY CLERK
Describe responsibilities and duties here.

ARTHUR KILL CORRECTIONAL FACILITY
STATEN ISLAND, NY 10309
1992 - 1997
FOOD SERVICE ASSISTANT
Describe responsibilities and accomplishments here.

EDUCATION
Bachelor of Arts Degree
STATE UNIVERSITY OF NEW PALZ
1987-1991
NEW PALZ, NEW YORK
Describe honors, related activities and accomplishments here.

Franklin K. Lane HS
REGENTS DIPLOMA
1971-1975
BROOKLYN, NEW YORK
Describe honors, related activities and accomplishments here.

SKILLS
Bullets may be used here to create an attractive list of skills.

REFERENCES
Bullets may be used here to list names of references.
COMMENDABLE BEHAVIOR REPORT

Name of Inmate ___________ ID No. _________ Cell No. ___________

Location _____________________________ Facility _____ Date ___ Time ___

Description

Signature of Person Reporting Commendable Behavior ____________________________

Form 2167 (9/92)
APPENDIX C - Sample letter

Date

Mr. ___________________________
Facility Parole Officer
______________________________ Correctional Facility
, NY

Re: John Doe
Department Identification Number

Dear Mr./Mrs. ____________________________:

(Purpose of the letter)
I am writing this letter in support of my cousin, John Doe, who is appearing before the parole board in _____________ (add date of appearance). I am writing to ask you to send _______ (prisoner's first name) home to be with his/her family. John has _______ (insert # of children, if applicable) children who need him home again very much.

(Explain your relationship with the person)
John has always been my favorite cousin. Before he went to prison, I was aware that he was having trouble with drug addiction and I was very concerned about him, although there was not much that anybody in the family could do. John's drug use drove a wedge between us, but after he was in prison for several years, we began to communicate again.

(Good things you know about the person)
I would like to say that the changes I see in John are truly inspiring. He is really not the same person I knew during those drug-addicted years. I can see that he has matured and taken responsibility for his mistakes. One of the things I respect most about him is the effort that he makes to be a good father, even while in prison. He writes to this children regularly and send them cards and gifts on their birthdays and during holidays.

(Remorse)
I understand that John committed a serious crime. He has expressed remorse for the crime and has worked very hard to turn his life around while in prison, so that he will not repeat his past mistakes, when released.

-22-
John has done everything he can to improve himself during the time that he has been in prison. He completed his GED and has taken computer courses so that he will have a marketable skill upon release. He also attended several therapeutic programs, including ASAT and AA (list prisoner’s programs especially those dealing with drugs, alcohol or violence, depending on the type of crime committed). His participation in ASAT was so positive that he was asked to be a facilitator in the program. In addition, John has become a very good writer and poet while in prison. I have read many of his works, and can see from their content, that he has done a lot of soul searching while incarcerated.

John takes his drug addiction very seriously and knows that he must continue to participate in therapy when he is released. For that reason, he has already contacted the Daytop Outpatient program and submitted an application for participation in their outpatient program. He also has sent numerous resumes to potential employers and have received three positive responses with promises of future employment.

John and I have become very close over the past seven years. We write frequently, talk on the phone and I visit him at least once a month. I will continue to support his efforts when he is released. I know that he can also count on the support of his mother and father, with whom he will be residing, when released.

I urge you to release John at this parole hearing so that he can come home to his children and the rest of his family.

Sincerely,
APPENDIX D - Sample letter

Date

Mr. Facility Parole Officer
__________ Correctional Facility
__________, NY

Re: ________________ (name of prisoner)
Department Identification Number

Dear Mr. __________:

I am writing on behalf of ________________ (name of person) who is scheduled to appear before the parole board for the second time in July. I have known Mr. ________ for ____________ years. I also know his wife, ________, and his children, ________, ________, and ________. Mr. ____________’s application for parole was denied when he first appeared before the board two years ago. At the time of that appearance, his record was good. However, since that time, his record is outstanding. Instead of commiserating about the denial of parole, Mr. ____________ continued working to help others and to improve himself. At ____________ Correctional Facility, he facilitated the AVP program, was elected co-chairman of the Inmate Liaison Committee.

There is no question that the crime, for which Mr. ________ was incarcerated, is a serious crime. However, he has shown remorse and always taken full responsibility for the crime. I am sure that you will agree that after serving almost ________ years for committing the crime, Mr. ____________’s release at this time would not so deprecate the seriousness of the crime so as to undermine respect for the law. Moreover, if you examine all of the factors that are used to predict whether a person is most likely to recidivate, those factors indicate that Mr. ________ will most likely not commit another crime. His disciplinary history during his incarceration indicates that he obeys the rules in the prison; he has a supportive network of family and friends on the outside available to assist him in his reintegration back into society and he had an extensive work history prior to
being incarcerated in addition to obtaining additional marketable skills in prison that will help him to obtain employment.

By the time that Mr. ______ appears before the parole board, he will be ___ years old, ___ years older and considerably wiser than the man who committed the crime. He is an intelligent individual and deserves a second chance. Please grant Mr. ______ parole and give him that second chance.

Sincerely,
APPENDIX E - Parole statute

Title 9 of Executive Law § 259-1 2 (c) states:

Discretionary release shall not be granted merely as a reward for good conduct or efficient performance of duties while confined but after considering if there is a reasonable probability that, if such inmate is released, he will live and remain at liberty without violating the law, and that his release is not incompatible with the welfare of society and will not so deprecate the seriousness of the crime as to undermine respect for the law. In making the parole release decision...the following shall be considered: (i) the institutional record including program goals and accomplishments, academic achievements: vocational education, training or work assignments, therapy and interpersonal relationships with staff and inmates: (ii) performance, if any, as a participant in a temporary work release program; (iii) release plans including community resources, employment, education, and training and support services available to the inmate; (iv) any deportation order issued by the federal government against the inmate while in custody of the department of correctional services and any recommendation against the inmate made by the commissioner of the department of correctional services pursuant to section one hundred forty-seven of the correction law; and (v) any statement made to the board by the crime victim or the victim’s representative, where the crime victim is deceased or is mentally or physically incapacitated...Notwithstanding the provisions of this section, in making the parole release decision for persons whose minimum period of imprisonment was not fixed pursuant to the provisions of subdivision one of this section, in addition to the factors listed in this paragraph the board shall consider the factors listed in paragraph (a) of subdivision one of this section.

The relevant considerations listed in § 259-1 paragraph (a) of subdivision 1 which the board may also consider in making a parole release decision are as follows:

(i) the seriousness of the offense with due consideration to the type of sentence, length of sentence and recommendations of the sentencing court, the district attorney, the attorney for the inmate, the pre-sentence probation report as well as consideration of any mitigating and aggravating factors, and activities following arrest and prior to confinement; and (ii) prior criminal record, including the nature and pattern of offenses, adjustment to any previous probation or parole supervision and institutional confinement.